

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

IN RE: GENERIC PHARMACEUTICALS
PRICING ANTITRUST LITIGATION

MDL 2724
16-MD-2724

THIS DOCUMENT RELATES TO:

HON. CYNTHIA M. RUFE

*Health Care Service Corp. v. Actavis Elizabeth, LLC
et al.*

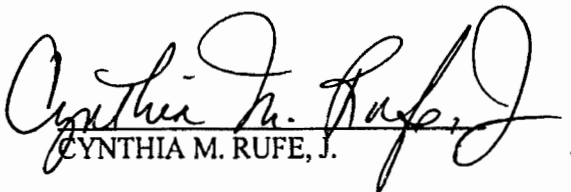
Individual Case No. 2:19-cv-05819-
CMR

ORDER

AND NOW, this 13th day of Feb., 2020, upon consideration of the attached Joint Stipulation to Waive Service and Extend the Deadline for Defendants to Respond to Plaintiff Health Care Service Corp.'s December 11, 2019 Complaint, it is hereby ORDERED that the Stipulation is APPROVED.

It is so ORDERED.

BY THE COURT:


CYNTHIA M. RUFE, J.

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: GENERIC PHARMACEUTICALS PRICING ANTITRUST LITIGATION	MDL 2724 16-MD-2724
THIS DOCUMENT RELATES TO: <i>Health Care Service Corp. v. Actavis Elizabeth, LLC et al.</i>	HON. CYNTHIA M. RUFÉ Individual Case No. 2:19-cv-05819- CMR

**JOINT STIPULATION TO WAIVE SERVICE AND EXTEND THE
DEADLINE FOR DEFENDANTS TO RESPOND TO PLAINTIFF
HEALTH CARE SERVICE CORP.'S DECEMBER 11, 2019 COMPLAINT**

WHEREAS, Plaintiff, Health Care Service Corp. ("HCSC") filed a Complaint in the above-captioned matter on December 11, 2019 (the "December 11, 2019 Complaint"), which has been centralized for pretrial proceedings as part of *In re Generic Pharmaceuticals Pricing Antitrust Litigation*, Case No. 16-md-02724-CMR, MDL No. 2724;

WHEREAS, HCSC's December 11, 2019 Complaint is based, in part, on substantially similar facts and allegations as those raised against certain Defendants in the complaint filed by Plaintiff States on May 10, 2019 in *State of Connecticut et al. v. Teva Pharmaceuticals USA, Inc.* (the "Plaintiff States' May 10, 2019 Complaint"), Case No. 19-cv-2407-CMR, which has also been centralized for pretrial proceedings as part of MDL 2724;

WHEREAS, in an Order dated July 25, 2019, the Court adjourned responsive pleadings and/or motions to the Plaintiff States' May 10, 2019 Complaint until such time as the Court enters an order setting a schedule for responses to that complaint (see MDL Doc. No. 1058, approving stipulation);

WHEREAS, the parties agree that responses to the pleadings in this action should be accomplished efficiently and in consideration of the Court's existing MDL scheduling orders;

WHEREAS, Defendants Actavis Elizabeth, LLC, Actavis Holdco US, Inc., Actavis Pharma, Inc., Amneal Pharmaceuticals, Inc., Apotex Corp., Ascend Laboratories, LLC, Aurobindo Pharma USA, Inc., Breckenridge Pharmaceutical, Inc., Citron Pharma, LLC, Dr. Reddy's Laboratories Inc., Emcure Pharmaceuticals, Ltd., Epic Pharma, LLC, Fougere Pharmaceuticals Inc., Generics Bidco I, LLC, Glenmark Pharmaceuticals Inc., USA, Greenstone LLC, G&W Laboratories, Inc., Heritage Pharmaceuticals Inc., Impax Pharmaceuticals, LLC f/k/a Impax Pharmaceuticals, Inc., Lannett Company, Inc., Lupin Pharmaceuticals, Inc., Mayne Pharma, Inc., Morton Grove Pharmaceuticals, Inc., Mylan, Inc., Mylan, N.V., Mylan Pharmaceuticals, Inc., Oceanside Pharmaceuticals, Inc., Par Pharmaceutical, Inc., Par Pharmaceutical Companies, Inc., Perrigo Company Plc, Perrigo New York, Inc., Pfizer, Inc., Sandoz, Inc., Sun Pharmaceutical Industries, Inc., Taro Pharmaceuticals Industries Ltd., Taro Pharmaceuticals USA, Inc., Teligent, Inc., Teva Pharmaceuticals USA, Inc., UDL Laboratories Inc., Upsher-Smith Laboratories, LLC, Valeant Pharmaceuticals International, Valeant Pharmaceuticals North America LLC, West-Ward Pharmaceuticals Corp., Wockhardt USA LLC, And Zydus Pharmaceuticals (USA) Inc. (collectively "Stipulating Defendants") have agreed to waive service of the December 11, 2019 Complaint and the parties have reached an agreement to extend the time within which the Stipulating Defendants must move against, answer, or otherwise respond to HCSC's December 11, 2019 Complaint;

WHEREAS, on January 10, 2020, HCSC's December 11, 2019 Complaint was served on Defendant Camber Pharmaceuticals, Inc. (and collectively with the Waiving Defendants, the "Stipulating Defendants"), and HCSC has agreed to extend the time within which Camber must move against, answer, or otherwise respond to HCSC's December 11, 2019 Complaint;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among the undersigned counsel, on behalf of their respective clients, as follows:

1. The Waiving Defendants waive service of HCSC's December 11, 2019 Complaint and Summonses pursuant to Federal Rule of Civil Procedure 4(d), and this Stipulation shall be deemed proof of that waiver pursuant to Federal Rule of Civil Procedure 4(d)(4).

2. The deadline for the Stipulating Defendants to move against, answer, or otherwise respond to HCSC's December 11, 2019 Complaint is ADJOURNED until such time as the Court orders for the filing of response(s) to complaints that were filed on or after May 10, 2019.

3. This stipulation does not constitute a waiver by the Stipulating Defendants of any defense, including but not limited to those defenses provided under Federal Rule of Civil Procedure 12, except that the Stipulating Defendants do not contest personal jurisdiction.

IT IS SO STIPULATED.

Dated: January 28, 2020

LOWEY DANNENBERG, P.C.

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